



CALIFORNIA CUPA FORUM

"An Association of Certified Unified Program Agencies"

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December 6, 2002

Winston H. Hickox, Agency Secretary
California Environmental Protection Agency
1001 I Street
Sacramento, CA 95814

Dear Secretary Hickox,

RE: Written Comments Regarding European Union's Waste Electrical and Electronics Equipment (WEEE) Model

This letter is in follow-up to the verbal testimony I provided at the California Environmental Protection Agency (Cal/EPA) Electronic Waste Forum on November 25, 2002 regarding the potential implementation of the European Union's Waste Electronic and Electronics Equipment (WEEE) Model in California.

Coordination:

Cal/EPA must continue to strive toward a coordinated regulatory effort both on the national and international electronic waste policy levels. As stated in the European Union's Directive of the European Parliament and of the Council on WEEE, "...management of WEEE cannot be achieved by member states acting individually". The same holds true within the United States.

Toxicity:

The European Union's Restriction on Hazardous Substance Directive identifies specific toxic components of concern that need to be substituted or eliminated from electronic equipment (i.e., lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls and polybrominated diphenyl ethers). The California CUPA Forum believes that the proactive approach of engineering out the hazardous substance at the front end, during manufacturing, is a more practical approach to reducing electronic waste than regulating it on the back end.

In addition, the California CUPA Forum recommends that the California Department of Toxic Substances Control (DTSC) require manufacturers to identify whether a hazardous substance included in the production of their electronic equipment would render such equipment hazardous waste once disposed. This approach is more practical than requiring the end user to make a waste determination.

Financial:

The California CUPA Forum strongly recommends that "front end fees" be required of manufacturers of electronic equipment as a method for financing electronic recycling, reuse, and disposal. Manufacturers should also be required to share in the cost of recycling, reusing, and disposing of "historic" e-waste. Fees collected must be available to assist local government electronic waste collection events and outreach efforts.

As an example of the impact that e-waste is having on local government, consider San Diego County's experience in the last year. During the past year San Diego County local government agencies collected approximately 250 tons of electronic devices (including cathode ray tubes) from residential sources for recycling. Taking into account State and Federal generation estimates, this accounts for only 4% of the total residential electronic waste generated in San Diego County. At current generation rates and recycling management costs, it is estimated that costs to manage future waste electronics in San Diego

County alone will be approximately \$3,000,000 annually.

Education:

Timing of the educational message regarding the proper disposal of electronic waste is a dilemma, especially if there is little or no infrastructure in place. Phasing in of education and outreach should be done when suitable infrastructure is in place to handle recycling, reuse, and disposal of electronic waste.

Regulations:

Large quantity handlers of electronic waste should be appropriately permitted, tracked, and required to have sufficient financial assurance to prevent "sham recycling" and potential future contaminated sites. During the Electronic Waste Forum on November 25th, DTSC's Director Edwin Lowry stated that management of e-waste "will equal or exceed" the demands of the traditional hazardous waste programs. However, neither DTSC nor the Unified Program Agencies have the necessary resources to handle such regulatory demands. Therefore, it is imperative that Cal/EPA and the Unified Program Agencies together begin to prioritize our regulatory efforts in the most efficient and effective manner in order to protect public health and safety and the environment.

Thank you for inviting me to participate on the local government panel during the Cal/EPA's Electronic Waste Forum. I hope you will consider my verbal testimony as well as these written comments as representative of the challenges that Unified Program Agencies are facing as we continue to educate the public and implement new regulations on this important environmental issue.

Sincerely,

Michael Dorsey, Chair
California CUPA Forum

cc: Mr. Michael Paparian
Board Member
California Integrated Waste Management Board

Ms. Kathy Fletcher
Deputy Secretary
California Environmental Protection Agency

Mr. Don Johnson
Assistant Secretary
California Environmental Protection Agency

Mr. Edwin F. Lowry
Director
Department of Toxic Substances Control

Mr. Watson Gin
Deputy Director
Department of Toxic Substances Control

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